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BEFORE THE ARIZONA CORPOR

MARCIA WEEKS
Chairman
RENZ D. JENNINGS
Commissioner
DALE H. MORGAN
Commissioner

IN THE MATTER OF THE APPLICATION BY)
CLEAR SPRINGS UTILITY COMPANY, INC.)
FOR APPROVAL OF A CROSS-CONNECTION)
CONTROL TARIFF)

DOCKET NO. U-1689-94-205

DECISION NO. 58698ORDER

Arizona Corporation Commission

DOCKETED

JUL 20 1994

Open Meeting
July 20, 1994
Phoenix, Arizona

BY THE COMMISSION:

DOCKETED BY

JL6

FINDINGS OF FACT

1. On June 20, 1994, Clear Springs Utility Company, Inc. (Clear Springs) filed an application requesting approval of a tariff implementing a cross-connection control program. It would allow Clear Springs to refuse or discontinue service if a customer did not take steps to prevent backflow into Clear Spring's system. The tariff is consistent with the requirements of Arizona Department of Environmental Quality (ADEQ) Rule A.A.C. R-18-4-232, as well as Arizona Corporation Commission Rule A.A.C. R14-2-405.B.6.

2. The tariff provides the following:

- A. Any customer who has a cross-connection is required to have a backflow-prevention assembly;
- B. The customer shall be given thirty (30) days written notice of the requirement to comply with the provisions of the tariff unless an obvious hazard exists to consumer

health or safety as stated in A.A.C. R14-2-410.B.1.a (in which case service may be terminated immediately). A customer can be given additional time if good cause is shown as to why a device cannot be installed within thirty (30) days;

C. The assembly must be tested annually; and

D. The customer is required to keep certain records relating to the installation and testing of the devices.

3. Staff believes that the proposed tariff is consistent with and enhances existing Corporation Commission rules, and provides additional protection for a safe water supply.

4. Staff has recommended approval of this tariff.

CONCLUSIONS OF LAW

1. Clear Springs is a public service corporation under Article XV, Section 2, of the Arizona Constitution.

2. The Commission has jurisdiction over Clear Springs and over the subject matter of the application.

3. Approval of the tariff filing does not constitute a rate increase as contemplated by A.R.S. Section 40-250.

4. The Commission, having reviewed the tariff pages, and Staff's Memorandum, dated July 7, 1994, concludes that the tariff is reasonable, fair and equitable, and is therefore in the public interest.

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ORDER

THEREFORE, IT IS ORDERED that the application of Clear Springs for approval of a backflow prevention tariff is hereby approved.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION


CHAIRMAN


COMMISSIONER


COMMISSIONER

IN WITNESS WHEREOF, I, JAMES MATTHEWS, Executive Secretary of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 20 day of July, 1994.


JAMES MATTHEWS
Executive Secretary

DISSENT _____

GY:SD:aw